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04/25/01

Express Mail No.: EL501040000US

PATENT APPLICATION

Attorney Docket No.: 069078.0104

First Named Inventor: Klocek, et al.
(Or Application Identifier)

**TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Box Patent Application
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Enclosed for filing is a patent application entitled:
METHOD AND APPARATUS FOR SWITCHING OPTICAL SIGNALS WITH A
PHOTON BAND GAP DEVICE.

The enclosed application is:

☒ Original
☐ Continuation ☐ Divisional ☐ Continuation-In-Part
(CIP) of prior application No. _____.

Enclosed are:

☒ Specification, Claims and Abstract (32 Total Pages)
☒ Drawing(s) (5 Total Sheets of ☒ Formal ☐ Informal)
☒ Combined Declaration/Power of Attorney (5 Total Pages)
☒ Newly executed (original or copy)
☐ Copy from a prior application
(for continuation or divisional only)
☐ Incorporation By Reference - The entire
disclosure of the prior application, from which
the copy of the Declaration is supplied, is
considered as being part of the disclosure of
the accompanying application and is hereby
incorporated by reference herein.
☐ This application is being filed by fewer than
all of the inventors named in the prior
application, under 37 CFR §1.53(d)(4). Please
DELETE the following inventor(s) named in the
prior nonprovisional application:
_____.

☒ An Assignment is attached. A separate cover sheet in
compliance with 37 C.F.R. § 3.28 and § 3.31 is included
with an Assignment recording fee of \$ 40.00 pursuant
to 37 C.F.R. §1.21(h).

X Information Disclosure Statement (IDS), and Form PTO-1449
X Copies of documents listed on Form PTO-1449.

____ Preliminary Amendment
 ____ Please enter before calculating the filing fee.

____ Priority is claimed under 35 USC §119 based on:

____ A certified copy of the priority application is enclosed.

____ Other: _____.

X Return Receipt Postcard

____ The enclosed application is in the form of a foreign language text:

____ An English translation is enclosed, along with a statement that the translation is accurate.
 ____ Please notify the undersigned of the due date for submitting an English translation.
 ____ An enclosed check includes the fee of \$____ for processing a foreign language text.

Applicant is a X large ____ small entity.
 ____ Small Entity Statement enclosed.
 ____ Small Entity Statement filed in prior application.
 ____ Status still proper and desired.

FEE CALCULATION (LARGE ENTITY RATE)					FEE
	Number		Number Extra	Rate	Basic Fee
					\$710.00
Total Claims:	22	-20 =	2	X \$18 =	\$36.00
Independent Claims	3	- 3 =	0	X \$80 =	\$0.00
TOTAL FILING FEE =					\$746.00

X Enclosed is a check in the amount of \$ 746.00 for fees.

X Please credit any overpayment, or charge any additional fees required by this paper, to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P. A duplicate copy of this sheet is enclosed.

X Pursuant to 37 C.F.R. § 1.213(a), Applicant respectfully requests that the above-identified patent application not be published under 37 U.S.C. § 122(b). Applicant(s) hereby certifies that the invention disclosed in the above-identified application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

— This application is being filed without the Declaration and filing fee. Please advise the undersigned of the due date for submitting the Declaration and/or filing fee.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant



T. Murray Smith
Reg. No. 30,222
April 25, 2001

Correspondence Address:

T. Murray Smith, Esq.
Baker Botts L.L.P.
2001 Ross Avenue
Suite 600
Dallas, Texas 75201-2980
Telephone: (214) 953-6684
Facsimile: (214) 953-6503

ATTORNEY DOCKET NO.
069078.0104

PATENT APPLICATION

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kloczek, et al.
Serial No.: Unknown
Filing Date: April 25, 2001
Title: METHOD AND APPARATUS FOR SWITCHING OPTICAL
SIGNALS WITH A PHOTON BAND GAP DEVICE

Box Patent Application
Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that the enclosed documents (listed below) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 25th day of April, 2001, addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Willie Tules

Encl: Application Transmittal Form
Specification, Claims and Abstract (32 pages)
Formal Drawings (5 Sheets)
Declaration (5 pages)
Assignment, with Cover Sheet (5 pages)
Information Disclosure Statement with Form PTO-1449, and
one copy of each cited document
Checks (\$746.00 and \$40.00)
Acknowledgment Post Card

Express Mail Receipt
EL501040000US
Attorney Docket No.:
069078.0104